

Charter Commission Minutes

Amherst Charter Commission meeting of Thursday April 20 2017, Town Hall Town Room

Members present: Andy Churchill, Meg Gage, Nick Grabbe, Tom Fricke, Mandi Jo Hanneke, Irv Rhodes, Julia Rueschemeyer, Diana Stein, Gerry Weiss.

Collins Center: Tanya Stepasiuk, Michael Ward.

Public in attendance: Walter Wolnik, Barry O'Connell, Kurt Wise, Larry Ely, Oliver Broudy.

Agenda

1. Call to order, approve agenda (5 minutes)
2. Work on charter articles with Collins Center (2.5 hours)
3. Discussion of public feedback on latest charter proposal (1 hour)
4. Public comment (15 minutes)
5. Planning/updates (10 minutes)
6. Approve minutes from previous meetings (5 minutes)
7. Topics not reasonably anticipated by the Chair 48 hours prior to the meeting
8. Adjourn

The meeting was called to order at 5:30 pm.

Churchill briefly reviews agenda. States that Weiss will be joining at 7pm.

Grabbe: Motion with regard to size of council.

Churchill: Hold that, so we have discussion first.

Gage: Would like to show appreciation for colleagues. Haven't used words that are disparaging and insulting that have made it hard to communicate. Grateful for colleagues who are able to disagree like grownups and with skill and listening. Referring to the previous feedback session. Would have been helpful to ask questions about things that weren't part of the motion. When people use words that are demeaning, sabotaging the process, it makes you defensive. Really appreciate the way we talk to each other even when we don't agree.

Stepasiuk: Starting off with licensing, item 5 on page 2 from "Items for Amherst Charter Commission 4-20-17." You don't have to have created a board of license commissioners in the charter, but a number of charters do. If don't put it into the charter, it'll go into the default that's covered by chapter 138. This is your chance to set it up the way you want. Will cover alcohol licenses, hotel and restaurant licenses, entertainment licenses etc. Usual parameters: typically 3-5 members, most are appointed by the mayor, then confirmed by the council. Three to six years for term lengths is typical. If you want to put it in the charter, it would go under the administrative organization article. Gave sample text.

Hanneke: What is the default? The select Board is currently doing this. Would it be a Board?

Stepasiuk: You would end up with a board anyways. The default is 3 people appointed by the mayor and confirmed by the council.

Churchill: Our concern was not having the council spend all their time issuing licenses. Is it better to have a 5-person board or do we leave it up to the council?

Stepasiuk: They can also define it with a special act in the future.

Hanneke: If we don't put it in the charter, is the only way to change the size from 3 to 5 through special act and not just an ordinance?

Stepasiuk: Will double check.

Ward: Pulled up 138. It's a 3-member board. That's the default position.

Stein: I never found it such a big job. I would go with the default rather than set it in stone.

Gage: An interesting thing that happened to me was that an Atkins salesperson said that he hoped Amherst would become a city so that North Amherst would automatically get a liquor license because of the way city licenses operate. This is contentious. Does licensing commission decide how many liquor licenses there are? What are things related to a city regarding liquor licenses that we shouldn't be naive about?

Stepasiuk: Beyond area of expertise. Can't remember that being a concern or something that came up, but we can look that up.

Churchill: It does sound like the board of licensing commissioners would be applying the regulations rather than making them, right?

Stepasiuk: Yes, that's correct on the state level. I don't know if there are specifics to Amherst.

Stein: I know that we voted down giving liquor licenses to a Cumberland Farms store because of its location. If they still decide if an applicant should get it or not get it, that's to me an important thing.

Stepasiuk: Will come back to you with further research. We can leave it out for now and come back later to it.

Rhodes: Against it being 3. Think it should be 5. It presents the opportunity for all kinds of issues if you only have 3 people. There's no harm in having 5 people.

Churchill: If we're changing the number from 3, we need to have something in the charter.

Stepasiuk: Yes, using this as a base, we can add or subtract. It has 5 residents in the second paragraph. Would assume that you'd want it confirmed by the council. This version has 3-year terms, but you can change that as well. The approval of the members would go before the council.

Rhodes: Since there's a scarcity of liquor licenses, it's easier to influence 3 than influence 5. The influence factor is really critical.

Churchill: Anyone feel strongly against having 5? What about 3 year terms? It's appointed anyway. *All content.*

Hanneke: Would like to double-check on the pot licensing. Believe the select board is handling that. *Short Discussion concluded by Churchill:* if we just add pot we'll be good.

Gage: Cambridge has an ordinance committee. What's the relationship of an ordinance committee to this?

Stepasiuk: It's probably a subcommittee of the city council.

Churchill: It's different from licensing.

Next topic is Definitions.

Stepasiuk: The definitions can be changed, but they're fairly standard. The definitions section can be found in different places in different charters, so it's a style question.

Hanneke: I vote for general provisions at the end of the charter.

Stein: I don't agree. I like to know these terms before I go over the charter.

Stepasiuk: We'll put it somewhere and you can decide if you like it there or not. It's easy enough to cut and paste it.

Discussion of each definition down the list. For ex-officio: need to add word "shall mean" after "ex-officio."

Hanneke: We haven't decided yet if the mayor should be on the school committee. If we put the mayor on the school committee and want the mayor to vote, this definition might contradict that. *Discussion about "notwithstanding any vacancy which might exist."*

Gage: Are we going to talk about capitalization?

Ward: We'll be doing clean up at the end for any style changes.

Regarding the definition of "initiative petition"

Gage: Doesn't this appear in the section about voter participation?

Stepasiuk: yes.

Churchill: Aren't there a variety of voter proposed measures that petition is only one of them?

Stepasiuk: Yes. We might want to define citizen veto, but this is fairly straightforward.

Fricke: Can't imagine interpreting that any other way. This and "referendum" seem unnecessary. *Consensus. Definitions removed. Further short discussion about the next definitions in the list, such as "local newspaper" and "majority vote." Weiss enters the room at 6:10pm. Discussion about whether the majority would include those not abstaining. Concluded by Stepasiuk adding "of those present and not abstaining."*

Fricke: That leaves every committee open to set their own rules. Is that an issue?

Stepasiuk: There is typically a section that has multiple member body rules in the charter. So I would look at that. Let's come back to that after the "multiple member bodies."

Continue down the list of definitions.

Hanneke: Is there a reason we wouldn't include on the list the library trustees and the regional school committee?

Ward: My guess is that these are the only elected bodies. That is my theory, but we could easily add them in.

Hanneke: If we don't except the library of trustees or school committee, the mayor would have the right to sit in on all meetings including the executive sessions and vote on all those three committees too? *Answer is yes. Discussion about whether to exclude the library of trustees from the definition of multiple member bodies. Do we want the mayor an ex-officio member of the library of trustees?*

Rueschemeyer: I think so.

Churchill: It gives the mayor the ability to attend meetings, participate but not necessarily vote.

Hanneke: I look at the school committee and library of trustees committee as fairly similar, so I think we should treat them both similarly. We should talk about whether to treat those 2 bodies the same in the charter?

Rhodes: If the mayor is an ex-officio, he or she could still attend any of the meetings and not vote, including at the executive session, and that's where I have a problem with. Say there's an issue with the superintendent and starts an executive session without the mayor ever having shown up. I wouldn't want them to be a member solely by the definition. *Churchill suggests to hold this for when having the school committee discussion.*

Stein suggests adding "whether present or not" after "of a multiple member body" in the definition for "quorum."

Hanneke: We should make a note to define quorum for any multi member bodies except in the definition for multi member body. *Debate about whether two persons or three persons are considered a multiple member body. Agree on three.*

Referring to the definition for "supermajority,"

Hanneke: Why did we choose specific numbers when we have boards with many different numbers? Why not choose percentages?

Fricke: Is it possible to say that the supermajority is 60%? As opposed to two thirds? *Consensus that common usage is two thirds.*

Deliberation about the definition for "town bulletin boards" which is used a number of times throughout charter in the traditional sense, but Stepasiuk explains that the definition could be more expansive. Agreement that using the term "bulletin board" may be too archaic. Fricke suggests using "display" instead of bulletin board. Discussion about whether to include "electronic" in the term. Agreement that "electronic" is too limiting. Discussion about whether to include the word "official" for its notices and displays, and whether to include the website. Decide on defining "bulletin board" as "display" to give flexibility for future technologies.

Stein asks why the town's website link shouldn't be included in the definition for "town website." Consensus that the website link might change. Gage asks about whether to define conflict of interest.

Stepasiuk: Conflict of interest is an interesting concept. It would be tough to define it in here. It's governed by state law. We could reference the state statute, but I don't know if we can define it beyond that.

Weiss: In the conflict of interest laws, should you announce what your relationship is in certain situations?

Stepasiuk: I would have to look that up.

Weiss: There are instances when there is some kind of conflict but not it's not legal conflict of interest so it's good to know when you have to declare it.

Fricke: As a public employee who has gone through conflict of interest training, it's quite exhaustively complete.

Stein shifts conversation back to the definition for town website. She believes that it would be much cleaner to end the definition after the word "information" as "whether on the internet or accessed through electronic means or another comparable technology" is unnecessary verbiage.

Hanneke: Could we say "online or electronic?" Because we have no idea in 50 years what they would have. *Rueschemeyer suggests deleting "accessed through electronic means."* Hanneke agrees.

Rhodes asks whether "remote participation" should be included in the definitions document.

Stepasiuk: We don't talk about that in the charter anywhere, so we wouldn't define it unless we talk about it in the charter. Could include it in the by-law.

Begin reviewing the Master Draft document, Section 4-4 Housing Authority on Page 14.

Hanneke: When we did this the first time, we set a term of 4 years and then we found out that the term is not changeable by us. It has to be 5 years by state law... We can have the mayor appoint the confirmation of council, and in thinking longer about it, I actually thought that was more logical in a city form. Maybe in a town form too. In the listening session in the fall we heard a lot about the housing authority. It being an elected office, you have to run and get the signatures etc. If moving to an appointed office, you could recruit people directly affected by the housing authority to apply to be on this board. My position is to move these both to appointed positions instead of elected authorities.

Stepasiuk: That is what most city-form charters do. There has recently been a state law that's 2 or 3 years old that also requires that one of the members be a tenant member. So we need to account for a government appointment as well as a tenant in here.

Stein: I don't have any problem if needing to be approved by a town council. The way it's been working hasn't been active anyway.

Churchill: Anybody have a strong opposition to the housing authority being appointed rather than elected?

Stepasiuk: If you have a 5 member housing authority, then you have 3 remaining people. One has to be a tenant member.

Stein: I was talking about the re-development authority to make that clear.

Hanneke: There was definitely discontent with the housing authority. I wonder if more people would apply to be appointed instead of having to gather signatures to be elected.

Gage: Would there be more discontent if it seems political? How about 50/50?

Churchill: Should we have 2 elected by tenants?

Stepasiuk: I will say that it's very difficult to get a tenant representative.

Gage: It would be helpful to get feedback on this question. Mandi and I are struggling to remember the discontent mentioned in the listening session.

Stepasiuk: In terms of logistics, if we were going to move this to becoming an appointed position, we would talk about it in the provision decision. We only have a few elected bodies.

Weiss: Would be good to get some feedback on 2 elected positions.

Hanneke: Can we split it?

Stepasiuk: I can see that being possible especially because you already have the government-appointed appointee, and you would then have one mayoral appointee and one tenant which would essentially be appointed by the mayor as well as the elected tenant member. It gets a little wonky in terms of power, but if you carefully consider it, then there should be no legal or logistical issue.

Rhodes: I have very little information in terms of the powers and responsibilities of the housing authority and what issues have been coming forth and how those issues have been affecting Amherst. Would like to do more exploring. Don't want to vote in the dark.

Stepasiuk: We're going to leave this in the elected session for now, but we obviously need to come back after giving more thought and doing more research.

Stein: I'm perfectly happy to have the mayor appoint the Redevelopment Authority and have the council approve the Redevelopment Authority. I don't know enough about how the housing authority is functioning to be able to make that statement.

Hanneke: I think it makes more sense for the redevelopment authority to be appointed. I would certainly want confirmation by the council.

Weiss: Would like feedback again. Why would you want the mayor to have that much power? Citizens might have different ways of looking at redevelopment.

Hanneke: If a person articulates a vision regarding development planning and has no control over who's on the redevelopment authority, the mayor is still held responsible for that vision, yet has no control over what the redevelopment authority does, even if it competes with his vision. By having the mayor appoint, the mayor could then have some policy control over that vision and have the ability to shape that vision. A mayor has a four-year term. I believe each of these with a five-year term. So every year the mayor would appoint one new person, so there would be some sort of continuity there.

Grabbe: If there's just one candidate for one position, then people don't really have a choice.

Churchill: The redevelopment authority's powers are constrained. It doesn't have large powers over all parts of town. The planning board would be a bigger discussion than this.

Rueschemeyer: What's typically done?

Stepasiuk: For the majority of cities the Redevelopment Authority is usually appointed.

Rueschemeyer: Do we have an option about whether to have a Redevelopment Authority or not?

Hanneke: Once we have one do we need to keep it?

Stepasiuk: We could consider it. Further discussion.

Weiss: Why not ask someone who ran for it why they ran?

Fricke: Why don't we put appointing the Redevelopment Authority as a placeholder and for the Housing Authority we can ask around. *Agreement.*

Churchill: For the members of the audience, we're planning on having the discussion of the public feedback starting at 8 o'clock (in 45 minutes). *Return to general provisions document, Rules and Regulations section.*

Weiss: Question about the charter review. Will there be a place to spell out what the charter review committee can recommend and not recommend?

Stepasiuk: They can suggest anything, but it goes to the council. The council can choose. They can recommend all of them or none of them. It's up to the council to recommend changes for the charter itself. Might be anything from punctuation to everything about the form of government.

Weiss: So the charter committee could recommend changing the form of government from town council to town meeting?

Stepasiuk: That would need to go through a variety of steps before that could happen. It would be recommendation to the council. A change like that would need to go as a special act to the state, and would need to be voted on as a town.

Ward: Chapter 43b section 10 spells out the various steps of what happens after review. The charter review committee gives at minimum a review every 10 years. But at any point in between this can still happen.

Stepasiuk: That portion of section 10a seems to indicate that in order to change the size of the legislature, you need to have a charter commission.

Refer back to Rules and Regulations regarding posting decisions. **Rhodes:** The only objection I have is that people shouldn't have to go to an office. It should be available online.

Stepasiuk: Generally, I agree with you, but I would give caution and say be careful about cementing something in the charter that it's actually feasible for the town to do.

Hanneke: I wonder if we even need this in the charter. It seems micromanaging rules and regulations of committees. Maybe it should be dealt more with in a bylaw instead of a charter? How many charters put this in? It would be public record anyway.

Rhodes: There's a fine line between micromanaging and transparency and the rights of citizens to access it.

Ward: We can look into how frequent it is and let you know.

Churchill: The purpose of this is to make the council's operations transparent so that if they pass rules and regulations that are subject to the public records act, they would be put somewhere that we can see them.

Rueschemeyer: It doesn't give a timeline for when that has to happen. It could take two weeks. *Discussion about whether this should be in the charter and if there is anything online.* Do we want every rule and regulation to be placed on file?

Churchill: Why wouldn't we want it on file?

Hanneke: Think it's redundant.

Rhodes: Can't review something that you don't know about. *Julia, Rhodes and Churchill think it should be on file.* Gage: Why 5 days? It feels like bureaucracy.

Stein: Don't understand why it would be asking too much to say that the town clerk would not only have it on file, but also post it online. Given the number of rules and regulations, how infrequently would she have to do it? They don't go around changing rules and regulations that often.

Ruescheymeyer: I agree with transparency and centralized info.

Churchill: If it's important it will get publicity. *Agree to add "all such rules or regulation shall be placed on the town website as soon as administratively possible."*

All reading the uniform procedures applicable to multiple member bodies.

Stein: I'm having trouble figuring out the exact timeline. How much extra time is needed for an agreement that needs a special meeting?

Churchill: Would want extra time for a special meeting.

Hanneke: My concern is "the third of a body" because on a three-member multi-member body, that means that any one person can just call a meeting. It seems a bit small. *Discussion about changing the language. Added "one-third but not less than two members."*

Hanneke: *Referring to the last sentence in section b.* I don't think we've ever filed minutes with the clerk. I'm wondering if by requiring them to be filed with the clerk, that we're creating an administrative nightmare.

Rhodes: If they're supposed to be a public record, but if they're not filed, how are they a public record?

Hanneke: We are subject to laws and open meeting laws. We as the body kept the minutes. I would get rid of "rules shall be public records" but it might be creating an administrative nightmare for the clerk.

Stein: Is there language that is part of a law somewhere that is being kept in the town clerk on file?

Hanneke: We have never once filed minutes with the clerk. I post them online by what I was told by IT to do. But this would require us to send a copy of every set of minutes. *Discussion and agreement to add that "These minutes shall be a public record and published on the Town website" so that each committee would be responsible rather than the town clerk. Stepasiuk doing research to see where the minutes should be posted.*

Section d. Discussion about whether to have term limits and whether library of trustees fit under multi-member bodies or not.

Hanneke: Could we add appointed member bodies?

Stepasiuk: By state law it has to be a multiple of 3. Only right now applies to appointed multiple member bodies. The board of library of trustees is often grouped with multiple member bodies.

Churchill: They are similar in that each of them has a board that hires an executive and get to be part of the mayor's budget.

Stepasiuk: Let's put them into the special bucket for now.

Discussion about removal of member of multiple member bodies.

Ward: Where it says council it should say mayor, because the mayor is the one who is appointing.

Hanneke: Why is this in the charter?

Gage: Question of whether the mayor can have separate income other than being mayor.

Stepasiuk: The current language in the executive branch is that the mayor shall devote full time to the office and shall hold no other publicly elected office. If he/she can devote full time as well as run something else, this isn't prohibiting it.

Gage: But conflict of interest would prevent them from consulting, because whoever is running for mayor would be trying to hold another job.

Stepasiuk: Yes. Generally most mayors do this as a full time position. Most of them put their job on hold.

Break at 8pm. Resume at 8:06pm. Churchill opens feedback session. Asks to keep public comments civil.

Rueschemeyer makes statement about the process. I am concerned that a special group of developers is trying to interfere with the deliberations of this commission that they effectively control at least one member of our commission. In an attempt to intimidate me and control my deliberations and voting, Nick Grabbe has on multiple occasions emailed me that Amherst For All is displeased with my votes on various dates as if I were just here to do their bidding. He told me I was only elected because I'm a woman. I'm afraid that Nick Grabbe is effectively controlled by people outside this commission. He makes no attempt to hide it. In full view and on videotape. For example, he went to sit with and confer with a narrow special interest group of developers rather than sitting with the commission during our deliberations. Nick, unlike you, I'm not for sale, and I'm not run by special interest groups. I will not be threatened online or in person by Nick Grabbe or other members of this group, and will make sure that our chair of the commission is aware of what's going on and makes steps to control interference with our work on the charter commission. I'm happy to share any emails that anyone wants to see.

Grabbe: Julia and I exchanged a number of emails. She began the exchange by saying that she was disappointed in what she saw as my lack of leadership on the compromise proposal that Meg and I worked out. I wrote her back saying that I was disappointed in her for a number of ways. I'm not exactly sure what she means by developers or being controlled by Amherst For All. I did not say that she was elected by the commission because she's a woman. I said that I recall that at the time that Amherst For All was deciding who to endorse, there was a movement toward being gender balanced, and in fact I was one of the people proposing that. I recommended having Julia.

Rueschemeyer: I don't want to be intimidated online anywhere on Facebook or by email any more. *Further disagreement. Churchill suggests that they discuss this another time because it wasn't on the agenda. Weiss makes a motion. Would like to postpone discussion of the public feedback to a later day as he thinks that it was an extremely hot night. He failed to see any point to it. Thinks it's a waste of time and waste of agenda.*

Stein: My reason is more pragmatic. We have Mike and Tania here. Would like to postpone this to a time when they're not here because their time is valuable to us. *Churchill explains that he and Hanneke put this on the agenda because they heard great feedback on the latest proposal and thought it was remarkably detailed and useful. Further debate. Churchill makes motion for all in favor of postponing. Three in favor, 1 abstained (Gage) and 5 against delaying. Churchill begins discussion to hear about the feedback*

session. Rueschemeyer refers to the online survey. Believes that it needs to be tweaked as some questions don't really make sense.

Grabbe talks about the letter from 12 UMass political science professors who critiqued the commission, saying that a 60-member council would create weak accountability.

Grabbe: At the feedback session, we heard 28 people criticize of the proposal. They used words like grotesque and flabbergasted... Large legislative bodies don't increase participation. This form of government doesn't exist anywhere else. The link to constituents would be lost. Took upon myself to investigate the situation in Newton. Newton has the largest council: 24 members, which is less than half of what was proposed here. Adopting a smaller council will increase responsibility, responsiveness and effectiveness. There are also problems with elections in having enough people run.

Gage: It was interesting to me to see who cared about this issue... Nobody was curious about anything. Very few people were actually here when I took the vote. The heat of this whole thing has been the town meeting and how unpopular that idea is. I'm amazed that there isn't more interest in management of our town and not just a figurehead, but who can be the person to understand... We haven't talked about zoning, planning... It's not interesting to people. I was fascinated by the letter from the UMass professors. It was a stunningly poor letter for 8 academics to sign. It wasn't clear, had no documentation or evidence from other people and was a big mistake on their part... I'm not going to vote on anything that isn't about a mayor if there isn't some clarity about how to manage this town. When a mayor screws up, we don't always see it. When they have screwed up, it's things that the public hasn't seen.

Weiss: Can agree with almost everything you said. I have concerns about 60 - would like to discuss the number as well as who's going to be in charge. We did not say what the powers of the mayor and town manager would be. This needs to be clarified and we need to talk more about it. Totally open to lowering the number from 60.

Hanneke: We haven't heard many on either side saying 60 is something we can support. If we come with a proposal, I don't think 60 will do it. We could make 60 work but I don't think that will pass this town.

Fricke: Feedback session was interesting. 60 is an intuitive middle ground and not a big change for me. I think a smaller council is more appropriate. Deeply appreciative that we're being flexible and it's not a concrete cement and position. There was no surprise at what people wanted to respond to.

Stein: Wasn't at the feedback session and hadn't known we were going to discuss this tonight so am really unprepared. Remarks will therefore be totally random. Out of all the UMass students in dorms, only one student voted in the town election in March. The students' interest in town politics is negligible. From a more realistic sign of our size, 28,000 is therefore more realistic. Referring to the letter from the political science department: as a scientist, and one who evaluates a lot of papers in general, there were no references anywhere. I did speak to the person who works on the council in NYC. Their council is 55 people. They have a number of committees, discuss them, then they vote and move on. I don't see any reason why a community like ours couldn't handle a 60 person council. My concern is how to manage such a body. I do really feel that we don't have more time to evaluate the parameters of how a 60 person council could work.

Churchill: Think we've heard a sincere attempt to move from a mayor and small council. The feedback was largely negative. Do believe it's not something we'd be able to pass as a town. We need to keep in mind that the town meeting is our default option in the election we will have next spring. What we're left with is choosing between 2 proposals. We've got a 5-4 proposal for mayor and small council and a 5-4 proposal for mayor, manager and 60-person council. I don't see the 60 person council model as a viable alternative. There was concern about political accountability and professional management. The St. Louis model was discussed last time where the manager hires and supervises town staff and the mayor appoints town committees. Possibilities for those hybrids to happen. We keep hearing from people that they don't know who represents them. From what I heard, people want a clear alternative. Which sets us up for a real debate: change to a mayor-council format, or keep town meeting/select board/manager?

Rhodes: Felt a deep sense of appreciation for members of this commission who changed their position in a drastic way at the time of the vote last week. The feedback that I've been hearing on social media, emails, etc. to me personally was rather disappointing for people who I had some respect for. People said

I was a stooge, that I was being used, being duped etc. I didn't hear any intellectual argument. Really liked what you said, Gerry. We need to keep talking. I thought that 60 really is too big, but you can make anything work. We need to find a way for this commission to come to an agreement on this issue of a town council, a mayor and a town manager or CEO or COO. We need a manager who is responsible for who he or she manages. Would like to have a fair and open discussion about all possibilities. We haven't gone through the pros and cons to reach an agreement that we may never reach. Hope we do have another vote.

Rueschemeyer: I didn't start wanting to have 60 people. It's a big stretch but important. Was hoping with the 60 person idea that was proposed that we could be a little more creative. This would be the biggest council in the state of Massachusetts. The UMass faculty senate has 59 people. There are lots of people on this commission that could make the 60-person council as good as can be. I do not care if there is no other like this in the state. It does not intimidate me.

Churchill asks for brief public comment.

Walter Wolnik: There was repeated discussion of the topic of posting on the town website. I don't think that this is citizen oversight friendly. It would be better to be able to receive notifications of anything that has been posted, perhaps by category.

Barry O'Connell: Together with my wife we've served more than 30 years in town meeting. Would like to go to our death in Amherst with no town meeting this fall. It's important for the commission to look at the record of town meeting votes over the last 2-5 years. It has been consistently obstructionist. Two people here dismissed citizen response. Gerry said it was clearly organized, but that's nonsense. Meg, we did not talk about managers because the subject before us was the proposal of the new compromise of a 60-member council. If these citizen responses are so meaningless, why have them? You have a hard task before you. Efficiency and accountability is not possible with a 60-person council.

Kurt Wise: My real concern is that whatever number we arrive at, in some ways actually offers a diversity of opinion that is meaningful and that there's real sharing of power. I applauded when this commission decided on a compromise proposal. What the town meeting achieved in the recent schools vote was actually a pushback on fairly small but connected power elites that were delivering what they thought was an end result that a lot of people in town didn't want. Concerned that the structure would actually listen to lots of different people and have rules in place that demand response to that diversity of opinion. Suggestions: if 30 or 20 or 13 people on the council, why not require a supermajority vote of it? So that there's real pressure to compromise meaningfully on things.

Larry Ely: This town meeting structure is a horrible way to govern a town. This is a Putin kind of way of doing democracy... *Explains the history of town meetings.*

Oliver Broudy: Referring to where the support for town meeting comes from: there is a distrust that power will be used correctly. If we do have a small council, there's reason for greater mistrust in hands of people. But if there's a smaller council, they can have conversation. There's a question that for a town as small as ours has a press that is active and engaged enough to take advantage of the kinds of access that you get when you have a smaller council. There are some options to consider. Until now we thought about surveys as a tool. But I'd like to suggest that maybe they're a bigger tool than we thought. In the past we used to rely all the time on the press and the editorial pages were our single mechanism for sorting out our feelings before we voted on them. But surveys are extremely powerful. Is there a way that surveys could be integrated more actively into town government? What if you could build a survey available on the town website so that everyone could participate? If you wish, you could even make that website count as one vote on your council.

Churchill: We need to talk a bit about the role of a managerial person. What would be the relationship between that person and the mayor? Where are we starting from in terms of size of council?

Grabbe: Wants to make a motion but much too late of a night to have a motion at 9:30pm.

Churchill: Hold motion.

Rhodes: Discussion on this would be quite useful.

Rueschemeyer: Want to work on concrete language to keep moving forward.

Hanneke: Monday scheduled to have HR and Finance department to speak with us for an hour. Propose to not bring the Collins Center on Monday.

Stein: Would appreciate getting pieces on other councils that deal with strong managers.

Further contention about whether to have motion by Grabbe or not.

Churchill: Let's start off with a discussion about the mayor/manager roles. Need to flesh it out in terms of staffing and authority. Then we can come up with an alternative.

Hanneke: HR Director would like to discuss relationships between a potential mayor and town departments. We can discuss the budget with the finance director.

Churchill adjourned the meeting at 9:45 pm.

Respectfully submitted,
Fiona Servaes

Documents presented:

Items for Amherst Charter Commission

Potential Definitions for Definitions Sections

Potential General Provisions Sections